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COMMONWEALTH OF VIRGINIA, *ex rel.*

STATE CORPORATION COMMISSION

v.

CASE NO. PUE000279

**ROBERT A. WINNEY d/b/a
THE WATERWORKS COMPANY OF
FRANKLIN COUNTY,**

Defendant

REPORT OF ALEXANDER F. SKIRPAN, JR., HEARING EXAMINER

September 28, 2000

On July 28, 2000, the Commission issued a Rule to Show Cause and Temporary Injunction concerning a customer complaint received by the Commission's Division of Energy Regulation ("Division"). Specifically, the Division reported that contrary to his tariff, Robert A. Winney, d/b/a The Waterworks Company of Franklin County ("Mr. Winney"), was attempting to impose a connection fee on Larry L. Loschert, 98 Village Lane, Moneta, Virginia 24121. Further, the Staff alleged that Mr. Winney threatened to disconnect Mr. Loschert if he failed to pay the connection fee imposed by Mr. Winney. Thus, in its Rule to Show Cause and Temporary Injunction Mr. Winney was enjoined to follow his tariff. Mr. Winney was also enjoined from discontinuing service to Mr. Loschert, or to any other person, for failure to pay any rate, charge, or fee not approved by the Commission. The Commission directed Mr. Winney to appear before the Commission on September 5, 2000, and show cause why the Commission should not take any or all of the following actions:

(a) Impose a penalty or suspend or revoke a certificate of public convenience and necessity issued to Robert A. Winney d/b/a The Waterworks Company of Franklin County, as provided by § 56-265.6 of the Code of Virginia.

(b) Permanently enjoin Robert A. Winney d/b/a The Waterworks Company of Franklin County from disconnecting or threatening to disconnect any customer for failure to pay any fee or charge not authorized as provided by § 56-265.13:5 B of the Code of Virginia.

(c) In the event that Robert A. Winney d/b/a The Waterworks Company of Franklin County, violates the temporary